

BILL NO. G-94-12- 32

GENERAL ORDINANCE NO.

2-02-95

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA PROHIBITING THE DISCHARGING OF A FIREARM WITHIN THE LIMITS OF THE CITY OF FORT WAYNE, INDIANA.

WHEREAS, there is no Indiana Criminal Statute, nor any municipal ordinance in the City of Fort Wayne, Indiana specifically addressing the subject of discharge of firearms; and

WHEREAS, that in order to promote and protect the health and safety of the citizens of Fort Wayne, it is necessary to regulate the discharge of firearms in this city.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. There is hereby added the following language to Chapter 130 of the City of Fort Wayne, Indiana Code of Ordinances:

*"Discharging firearms; penalty.*

**Sec. 130.07 Discharge prohibited.**

It shall be unlawful for any person to discharge a firearm in the city limits of Fort Wayne, Indiana.

**Sec. 130.08 Definition - "Firearm".**

As used in this ordinance, the following word shall have the following meaning, unless the context clearly indicates that a different meaning is intended:

"Firearm": Any weapon, whether loaded or unloaded, which will expel a projectile by the action of an explosive and includes any such weapon commonly referred to as a pistol, revolver, rifle, gun, shotgun, or machine gun. Any weapon which can be readily made into a firearm by the insertion of a firing pin, or other similar thing in the actual possession of the perpetrator or an accomplice, is a firearm.

**Sec. 130.09 Exceptions.**

It shall not be a violation of this Ordinance to discharge a firearm under the following conditions:

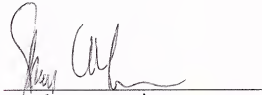
- 1). Acting in self defense, as defined by Indiana Law.
- 2). Law Enforcement Officers in the performance of their duties.
- 3). An established firing range, or educational program properly supervised.
- 4). Military functions, such as parades, funerals, firing blank charges."

1  
2 SECTION 2. Severability. If any provision of this  
3 chapter is now or later amended, or its application to any  
4 person or circumstance is held invalid, the invalidity does  
5 not affect other provisions that can be given effect without  
6 the invalid provision or application.

7 SECTION 3. This Ordinance shall be in full force and  
8 effect from and after its passage, any and all necessary  
9 approval by the Mayor, and its legal publication thereof.

10   
11 COUNCILMEMBER

12 APPROVED AS TO FORM  
13 AND LEGALITY.

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15 Stanley A. Levine  
16 Legal Advisor to  
17 Fort Wayne Common Council  
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Read the first time in full and on motion by Brackney,  
and duly adopted, read the second time by title and referred to the  
committee on Regulations (and the City Plan Commission  
or recommendation) and Public Hearing to be held after due legal notice, at  
the Common Council Council Conference Room 128, City-County Building, Fort  
Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock

M., E.S.T.

DATED: 12-27-94

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Parone,  
and duly adopted, placed on its passage. PASSED LOST  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
RADBURY				<u>✓</u>
DMONDS				<u>✓</u>
iaQUINTA	<u>✓</u>			
ENRY	<u>✓</u>			
ONG	<u>✓</u>			
UNSEY	<u>✓</u>			
AVINE	<u>✓</u>			
CHMIDT	<u>✓</u>			
ALARICO	<u>✓</u>			

DATED: 1-10-95

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) \_\_\_\_\_ (APPROPRIATION) \_\_\_\_\_ (GENERAL)  
SPECIAL) \_\_\_\_\_ (ZONING) \_\_\_\_\_ ORDINANCE RESOLUTION NO. 12-02-95  
on the 10th day of January, 1995

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Don J. Schneider  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 11th day of January, 1995.  
at the hour of 11:30 o'clock P, M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of January,  
1995, at the hour of 2:00 o'clock A M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR

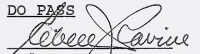
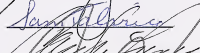
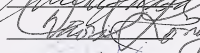
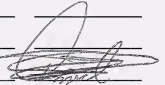
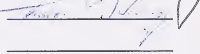
BILL NO. G-94-12-32

REPORT OF THE COMMITTEE ON  
REGULATIONS  
CLETUS R. EDMONDS - REBECCA J. RAVINE - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) OF THE COMMON COUNCIL  
OF THE CITY OF FORT WAYNE, INDIANA PROHIBITING THE DISCHARGING OF A  
FIREARM WITHIN THE LIMITS OF THE CITY OF FORT WAYNE, INDIANA

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
			
			
			
			

DATED: 1-10-95.

Sandra E. Kennedy  
City Clerk



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

January 13, 1995

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of January <sup>18</sup> 27 &  
January <sub>25</sub> 24, 1995, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

General Ordinance No. G-02-95  
Prohibiting the discharging of  
of a Firearm within the city

Please send us 3 copies of the Publisher's Affidavit from both  
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 10th day of  
January, 19 95, the Common Council of the City  
of Fort Wayne, Indiana, in a Regular Session did pass  
the following Bill No. G-94-12-32 General  
Ordinance No. G-02-95 to-wit:

BILL NO. G-94-12- 32

GENERAL ORDINANCE NO. G-02-95

AN ORDINANCE OF THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA PROHIBITING  
THE DISCHARGING OF A FIREARM WITHIN THE  
LIMITS OF THE CITY OF FORT WAYNE,  
INDIANA.

WHEREAS, there is no Indiana Criminal Statute, nor any  
municipal ordinance in the City of Fort Wayne, Indiana  
specifically addressing the subject of discharge of firearms;  
and

WHEREAS, that in order to promote and protect the health  
and safety of the citizens of Fort Wayne, it is necessary to  
regulate the discharge of firearms in this city.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. There is hereby added the following language  
to Chapter 130 of the City of Fort Wayne, Indiana Code of  
Ordinances:

*"Discharging firearms; penalty.*

Sec. 130.07 Discharge prohibited.

It shall be unlawful for any person to discharge a  
firearm in the city limits of Fort Wayne, Indiana.

Sec. 130.08 Definition - "Firearm".

As used in this ordinance, the following word shall have  
the following meaning, unless the context clearly  
indicates that a different meaning is intended:

"Firearm": Any weapon, whether loaded or unloaded,  
which will expel a projectile by the action of an  
explosive and includes any such weapon commonly  
referred to as a pistol, revolver, rifle, gun,  
shotgun, or machine gun. Any weapon which can be  
readily made into a firearm by the insertion of a  
firing pin, or other similar thing in the actual  
possession of the perpetrator or an accomplice, is  
a firearm.

Sec. 130.09 Exceptions.

It shall not be a violation of this Ordinance to  
discharge a firearm under the following conditions:

- 1). Acting in self defense, as defined by Indiana  
Law.
- 2). Law Enforcement Officers in the performance of  
their duties.
- 3). An established firing range, or educational  
program properly supervised.
- 4). Military functions, such as parades, funerals,  
firing blank charges."

1  
2 SECTION 2. Severability. If any provision of this  
3 chapter is now or later amended, or its application to any  
4 person or circumstance is held invalid, the invalidity does  
5 not affect other provisions that can be given effect without  
6 the invalid provision or application.

7 SECTION 3. This Ordinance shall be in full force and  
8 effect from and after its passage, any and all necessary  
9 approval by the Mayor, and its legal publication thereof.

10  
*Janet G. Bradbury*  
COUNCILMEMBER  
Janet G. Bradbury

Read the third time in full and on motion by Ravine, and duly adopted,  
placed on its passage. PASSED by the following vote:

AYES: Seven  
GiaQuinta, Henry, Long, Lunsey, Ravine,  
Schmidt, Talarico

NAYS: None

ABSENT: Two  
Bradbury, Edmonds

DATED: 1-10-95

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,  
as General Ordinance No. G-02-95 on the 10th day of January, 1995

ATTEST:

SEAL

Sandra E. Kennedy  
City Clerk

Donald J. Schmidt  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the  
11th day of January, 1995, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 13th day of January, 1995, at the hour of  
2:00 o'clock A.M., E.S.T.

Paul Helmke  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify  
that the above and foregoing is a full, true and complete copy of  
General Ordinance No. G-02-95,  
passed by the Common Council on the 10th day of  
January, 19 95, and that said Ordinance was  
duly signed and approved by the Mayor on the 13th day of  
January, 19 95, and now remains on file and  
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,  
Indiana, this 13th day of January, 19 95.

SEAL

*Sandra E. Kennedy*  
SANDRA E. KENNEDY, CITY CLERK





FW COMMON COUNCIL  
(Governmental Unit)To: The Journal-Gazette  
P.O. Box 100  
Fort Wayne, IN Dr.

ALLEN County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

121 lines, 1 columns wide equals 121 equivalent lines  
at .495 cents per line

\$ 59.90

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 59.90

## DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: JAN 25, 19 95

Title: Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 1-18-25-1995, the dates of publication being as follows:

1-18-25-1995

Subscribed and sworn to before me this 25th day of JAN, 19 95.

My commission expires:

MARY L ADKISON  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997

FW COMMON COUNCIL

(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
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LEGAL NOTICE  
 Notice is hereby given that on the 10th day of January, 1995, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-94-12-32 General Ordinance No. G-92-95 to wit:

BILL NO. G-94-12-32  
 GENERAL ORDINANCE NO. G-92-95  
 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA PROHIBITING THE DISCHARGING OF A FIREARM WITHIN THE LIMITS OF THE CITY OF FORT WAYNE, INDIANA.

WHEREAS, there is no Indiana Criminal Statute, nor any municipal ordinance in the City of Fort Wayne, Indiana specifically addressing the subject of discharge of firearms; and

WHEREAS, that in order to promote and protect the health and safety of the citizens of Fort Wayne, it is necessary to regulate the discharge of firearms in this city;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby added the following language to Chapter 130 of the City of Fort Wayne, Indiana Code of Ordinances:

"Discharging firearms; penalty."  
 Sec. 130.07 Discharge prohibited.  
 It shall be unlawful for any person to discharge a firearm in the city limits of Fort Wayne, Indiana.

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Sec. 130.09 Exceptions.  
 It shall not be a violation of this Ordinance to discharge a firearm under the following conditions:

- 1) Acting in self defense, as defined by Indiana Law.
- 2) Law Enforcement Officers in the performance of their duties.
- 3) An established firing range, or educational program properly supervised.
- 4) Military functions, such as parades, funerals, firing blank charges.

SECTION 2. Severability. If any provision of this chapter is now or later amended, or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, and its legal publication thereof.

Janet G. Bradbury  
 Council Member

Read the third time in full and on motion by Revue, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven  
 GioQuinis, Henry, Long, Lunsey, Ravina, Schmidt, Talasco  
 NAYS: None  
 ABSENT: Two  
 Bradley, Edmonds  
 DATED 1-10-95

Sandra E. Kennedy  
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-92-95 on the 10th day of January, 1995.

ATTEST:  
 Sandra E. Kennedy  
 City Clerk

Donald J. Schmidt  
 Presiding

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of January, 1995, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
 City Clerk

Approved and signed by me this 13th day of January, 1995, at the hour of 2:00 o'clock A.M., E.S.T.

Paul Helmke  
 Mayor

I, the Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General Ordinance No. G-92-95, passed by the Common Council on the 10th day of January, 1995, and that said Ordinance was duly signed and approved by the Mayor on the 13th day of January, 1995, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 13th day of January, 1995.

SANDRA E. KENNEDY  
 CITY CLERK  
 #773840

01-18-25

columns wide equals 121 equivalent lines

\$ 59.90

containing rule or tabular work

lication (\$1.00 for each proof in excess of two)

\$ 59.90

IM

ST

-ems

d penalties of Chapter 155, Acts 1953,

going account is just and correct, that the amount allowing all just credits, and that no part of the

*Julie L. Robyans*

\_, 19 95

Title:

Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

ersonally appeared before me, a notary public in and for said county and state, the undersigned JULIE L. ROBYANS who, being duly sworn, says that he/ she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for

2 time \_\_\_\_\_, the dates of publication being as follows:

1-18-25-1995

*Julie L. Robyans*

scribed and sworn to before me this 25th day of JAN, 19 95.

*Mary L. Addison*

Notary Public

My commission expires:

NOTARY PUBLIC STATE OF INDIANA  
 ALLEN COUNTY  
 MY COMMISSION EXP JUNE 14, 1997

To: The News-Sentinel Dr.  
P.O. Box 100  
Fort Wayne, IN

## LINE COUNT

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Total number of lines in notice

## COMPUTATION OF CHARGES

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Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: JAN 25, 19 95

Title: \_\_\_\_\_ Clerk

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Allen County ) ss:

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1-18-25-1995

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commission expires: NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP JUNE 14, 1997

MY COMMISSION EXP JUNE 14, 1997